

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

v.

19-CR-227  
23-CR-37

PETER GERACE, JR.,

Defendant.

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**PRELIMINARY ORDER OF FORFEITURE**

**WHEREAS**, the Second Superseding Indictment (19-CR-227) contained notice to the Defendant that upon his conviction of Title 21, United States Code, Section 856(a)(1) (Maintaining a Drug-Involved Premises), Title 21, United States Code, Section 846 (Conspiracy to Distribute Controlled Substances and Maintain Drug-Involved Premises); and Title 18, United States Code, Section 1594(c) (Conspiracy to Commit Sex Trafficking), the United States will seek forfeiture of:

**REAL PROPERTY**

The premises, buildings, appurtenances, improvements, fixtures, and real property located at **999 Aero Drive, Cheektowaga, New York**, and more fully described in a deed filed and recorded in Erie County Clerk's Office, on June 1, 2009 in Book 11162 of Deeds at Page 6131 (hereinafter referred to as "999 Aero Drive").

pursuant to Title 21, United States Code, Sections 853(a)(1), 853(a)(2), and 853(p), and Title 18, United States Code, Sections 1594(d)(1), 1594(d)(2) and 853(p). *Second Superseding Indictment* (19-CR-227), ECF 89, p. 42–45;

**WHEREAS**, on or about December 27, 2024, a jury found the Defendant guilty of Count 3: Title 21, United States Code, Section 856(a)(1) (Maintaining a Drug-Involved Premises); Count 4: Title 21, United States Code, Section 846 (Conspiracy to Distribute Controlled Substances and Maintain Drug-Involved Premises); and Count 5: Title 18, United States Code, Section 1594(c) (Conspiracy to Commit Sex Trafficking). *See Jury Verdict*, ECF 1426;

**WHEREAS**, on or about May 28, 2025, the United States filed a Motion for Forfeiture of Property, seeking the forfeiture of 999 Aero Drive, pursuant to Rule 32.2(b) of the Federal Rules of Criminal Procedure, Title 21, United States Code, Section 853(a)(2) and Title 18, United States Code, Section 1594(d)(1); and

**WHEREAS**, the Court has determined that 999 Aero Drive is subject to forfeiture pursuant to Title 21, United States Code, Section 853(a)(2) and Title 18, United States Code, Section 1594(d)(1) as: (A) property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the Defendant's violations of Title 21, United States Code, Section 856(a)(1) (Maintaining a Drug-Involved Premises) and Title 21, United States Code, Section 846 (Conspiracy to Distribute Controlled Substances and Maintain Drug-Involved Premises); and (B) property, real or personal, that was involved in, used, or intended to be used to commit or to facilitate the commission of the Defendant's violation of Title 18, United States Code, Section 1594(c) (Conspiracy to Commit Sex Trafficking), and any property traceable to such property.

**NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED**, that pursuant to Federal Rule of Criminal Procedure 32.2(b)(2), Title 21, United States Code, Section 853(a)(2), and Title 18, United States Code, Section 1594(d)(1), the Defendant shall forfeit all right, title, and interest in 999 Aero Drive; it is further

**ORDERED, ADJUDGED, AND DECREED**, that pursuant to Federal Rule of Criminal Procedure 32.2(b)(3), and Title 21, United States Code, Section 853(g), the United States of America is authorized to seize and take all steps necessary and appropriate to protect its interest in 999 Aero Drive, including taking actual possession of 999 Aero Drive. Any person or entity which has possession of, or jurisdiction over 999 Aero Drive, is directed to make 999 Aero Drive available to federal authorities in accordance with this Order; it is further

**ORDERED, ADJUDGED, AND DECREED**, that pursuant to Federal Rule of Criminal Procedure 32.2(b)(3) and Title 21, United States Code, Section 853(h), following the seizure of 999 Aero Drive, the Attorney General, through the United States Attorney's Office and/or any other duly authorized federal agency, shall direct the disposition of 999 Aero Drive making due provision for the rights of any innocent persons; it is further

**ORDERED, ADJUDGED, AND DECREED**, that pursuant to Federal Rule of Criminal Procedure 32.2(b)(6)(A) and Title 21, United States Code, Section 853(n)(1), the United States shall publish notice of this Order and of its intent to dispose of 999 Aero Drive in such manner as the Attorney General, through the United States Attorney's Office and/or any other duly authorized federal agency, may direct. The United States may also, to the

extent practicable, provide direct written notice to any person known to have alleged an interest in any portion of 999 Aero Drive, as a substitute for published notice as to those persons so notified; it is further

**ORDERED, ADJUDGED, AND DECREED**, that pursuant to Title 21, United States Code, Section 853(n)(2), any person, other than the Defendant, having or claiming a legal interest in 999 Aero Drive, must file a petition with the court within thirty (30) days of the final publication of notice, or of receipt of actual notice, whichever is earlier, for a hearing to adjudicate the validity of the petitioner's alleged interest in 999 Aero Drive; it is further

**ORDERED, ADJUDGED, AND DECREED**, that pursuant to Title 21, United States Code, Section 853(n)(3), any petition shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in 999 Aero Drive, and any additional facts supporting the petitioner's claim, and the relief sought; it is further

**ORDERED, ADJUDGED, AND DECREED**, pursuant to Federal Rule of Criminal Procedure 32.2(b)(4)(A) and (B), this Preliminary Order shall become final as to the Defendant at the time of the Defendant's sentencing and shall be made part of the Defendant's sentence and included in his judgment of conviction. If no third-party files a timely claim, this Preliminary Order, together with Supplemental Orders of Forfeiture, if any, shall become the Final Order of Forfeiture, as provided by Federal Rule of Criminal Procedure 32.2(c)(2). At

that time, 999 Aero Drive shall be forfeited to the United States for disposition in accordance with the law.

**SO ORDERED.**

Dated: \_\_\_\_\_, 2025  
Buffalo, New York

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HON. LAWRENCE J. VILARDO  
UNITED STATES DISTRICT JUDGE